

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

GLOBAL CONSULTING AND
MECHANICAL SERVICES, LLC,

§
§
§
§

CIVIL ACTION NO.

Plaintiff/Counter-Defendant,

§
§
§
§

5:20-CV-00088-RWS-CMC

v.

WILLIAM J AUSTIN,

§
§
§
§
§

Defendant/Counter-Plaintiff,

§

v.

JULIUS MATTHEW RANDOLPH
SMOAK SR. AND MELANIE BROOKE
SMOAK,

§
§
§
§
§

Third-Party Defendants.

§

ORDER

Before the Court is Plaintiff Global Consulting and Mechanical Services, LLC's Motion for Preliminary Injunction (Docket No. 4). The Magistrate Judge issued a Report and Recommendation recommending that the Court deny the motion. Docket No. 33 ("Report and Recommendation"). No objections have been filed to the Report and Recommendation.

Because no timely objections were filed to the Report and Recommendation, Plaintiff is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected- to factual findings and legal conclusions accepted and adopted by the District Court.

Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings in this cause and the Report and Recommendation of the Magistrate Judge. Upon such review, the Court has determined that the Report and Recommendation of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is accordingly

ORDERED that the Report and Recommendation of the Magistrate Judge (Docket No. 33) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that Plaintiff's Motion for Preliminary Injunction (Docket No. 4) is **DENIED**.

So ORDERED and SIGNED this 16th day of February, 2021.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE